

Application No. 09/533,029
Atty Docket No. MBI-0010

REMARKS

The Advisory Action

Claims 37-60 are allowed.

The double patenting provisional rejection of the pending claims would be moot if rejected claims are canceled.

Claims 62 and 69 are objected to.

Claims 61, 63-68 and 70-76 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 61, 63-68 and 70-76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhou et al (1997) *EMBO J.* 16: 3207-3218.

Amendments

Claims 61, 62, 63-68, and 70-76 have been cancelled.

These amendments respond to the Examiner's rejections and comments in the Advisory Action, and were not made previously for that reason. Applicants believe these amendments introduce no new matter, do not raise new issues that would require further consideration and/or search, and place the application in better form for allowance.

Applicants specifically reserve the right to seek patents for all the sequences and subject matter disclosed in the application and original claims that is not currently being examined.

FROM :MENDEL BIOTECHNOLOGY

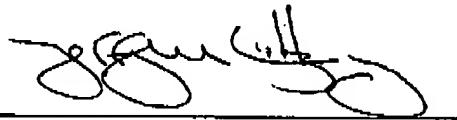
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In view of the above amendment, it is submitted that this application is now ready for allowance. Early notice to that effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (510) 259-6138.

Respectfully submitted,



Date: August 8, 2003

By: _____

Jeffrey M. Libby, Ph.D.
Registration No. 48,251

Mendel Biotechnology, Inc.
21375 Cabot Boulevard
Hayward, California 94545
Phone: (510) 264-0280
Facsimile: (510) 264-0254

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